

United States District Court
 DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

WAIVER OF RULE 40 HEARINGS
(Excluding Probation Cases)

MIRANDA

CASE NUMBER:

I, Yamil Pastor Miranda, understand that in the
Western District of Virginia, charges are
 pending alleging violation of 18 USC § 841(a)(1), 841(b)(1)(A) and that I have been
 arrested in this District and taken before a United States Magistrate Judge who informed me of the charge and of my
 right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- identity hearing
 preliminary examination
 identity hearing and have been informed I have no right to a preliminary examination *but request a detention hearing in this district.*
 identity hearing but request a preliminary examination be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

Jamil Pastor
 Defendant
John Weller
 Defense Counsel

4/7/05
 Date